

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
HOPETON KARL FRANCIS

Plaintiff,

- against -

CITY OF NEW YORK, et al.

Defendant.

-----X
DEBORAH A. BATTS, United States District Judge.

On August 20, 2007, Plaintiff filed this suit pursuant to 42 U.S.C. § 1983, alleging that Sargent Caceres and another officer arrested Plaintiff without probable cause and "falsified charges" against him. (See Compl. ¶ II.D.) On September 17, 2007, an Order explaining the service of process, was mailed to the address provided by Plaintiff. On September 24, 2007, that Order was returned to Chambers by the postal service. Similar communications by the Pro Se Office of the Southern District of New York have been returned. As of the date of this Order no Defendant has been served. According to the Department of Corrections the Plaintiff is no longer housed at the address he provided.

Therefore, Plaintiff's Complaint is hereby DISMISSED WITHOUT PREJUDICE. The Clerk of Court is directed to CLOSE the docket for this case.

SO ORDERED.

Dated: New York, New York

March 7, 2008

Deborah A. Batts

Deborah A. Batts
United States District Judge

